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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|---|---|------------------------|------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 10/001,469 |
| | | Filing Date | October 31, 2001 |
| | | First Named Inventor | Aya JAKOBOVITS |
| | | Art Unit | 1642 |
| | | Examiner Name | M. T. Davis |
| Total Number of Pages in This Submission | 8 | Attorney Docket Number | 511582002420 |

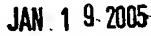
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| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
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| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | CUSTOMER NO. 36327 | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm Name | MORRISON & FOERSTER LLP | |
| Signature | | |
| Printed name | Kate H. Murashige | |
| Date | January 19, 2005 | Reg. No. 29,959 |

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Dated: January 19, 2005

Signature:

(Rebecca McElroy)



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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 10/001,469 |
| Filing Date | October 31, 2001 |
| First Named Inventor | Aya JAKOBOVITS |
| Examiner Name | M. T. Davis |
| Art Unit | 1642 |
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| Attorney Docket No. | 511582002420 |
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| <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments |
|---|---|

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

2. EXCESS CLAIM FEES

| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|----------------------|---------------------|-----------------|----------------------|
| -3 = | x | = | |

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| 4. OTHER FEE(S) | | Fees Paid (\$) |
|---|--|----------------|
| Non-English Specification, \$130 fee (no small entity discount) | | |
| Other: | 1806 Submission of an Information Disclosure Statement | 180.00 |

| | | | | | |
|-------------------|--------------------------|--------------------------------------|--------|-----------|------------------|
| Signature | <i>Kate H. Murashige</i> | Registration No. (Attorney/Agent) | 29,959 | Telephone | (858) 720-5112 |
| Name (Print/Type) | Kate H. Murashige | | | Date | January 19, 2005 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 548 426 992 US, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated:

1/19/05

Signature:

Rebecca McElroy

(Rebecca McElroy)

PATENT
Docket No. 511582002420



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Aya JAKOBOVITS et al.

Serial No.: 10/001,469

Filing Date: October 31, 2001

For: NUCLEIC ACID AND
CORRESPONDING PROTEIN
ENTITLED 101P3A11 USEFUL IN
TREATMENT AND DETECTION OF
CANCER

Examiner: M. Davis

Group Art Unit: 1642

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO/SB/08a/b were cited in an International Search Report (copy attached) mailed on October 20, 2004 directed to a counterpart international or foreign application. A certification under 37 C.F.R. § 1.97(e)(1) follows:

01/24/2005 SSITHIB1 00000069 031952 10001469
01 FC:1806 180.00 DA

I hereby certify that each item of information was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☒ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☒ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

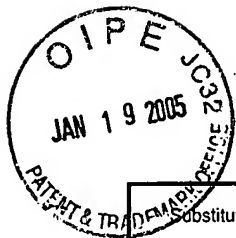
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **511582002420**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 18, 2005

Respectfully submitted,

By Kate H. Murashige
Kate H. Murashige
Registration No.: 29,959
MORRISON & FOERSTER LLP
3811 Valley Centre Drive, Suite 500
San Diego, California 92130
(858) 720-5112



ALTERNATIVE TO PTO/SB/08a/b (06-03)

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|---|---|----|--------------------------|------------------------|--------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | Complete if Known | | |
| | | | Application Number | 10/001,469 | |
| | | | Filing Date | October 31, 2001 | |
| | | | First Named Inventor | Aya JAKOBOVITS | |
| | | | Art Unit | 1642 | |
| | | | Examiner Name | M. Davis | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 511582002420 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | 1. | US-2003/00880059 | 03/2001 | Zozula | |
| | 2. | US-2003/0113798 | 12/2001 | Brown et al. | |
| | 3. | US-2002/022248 | 02/2002 | Xu et al. | |
| | 4. | US-2003/0213004 | 12/2002 | Jakobovits et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|------------------|---|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | MM-DD-YYYY | | | |
| | 5. | WO-01/27158 | 04/2001 | | | |

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | 6. | International Search Report for PCT/US02/15520, mailed on 20 October 2004, 4 pages | |

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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| Examiner Signature | | Date Considered | |
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